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 AT SEATTLE
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 BY DEPUTY

 United States District Court for the
 Western District of Washington

David Stebbins

Plaintiff

vs

Case No. 11-1362

Microsoft Corporation

Defendant

SUPPLEMENT TO MOTION FOR RECONSIDERATION

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following supplement to my motion for reconsideration.

Defendant has lost its opportunity to oppose the motion for reconsideration, and has thus, pursuant to the local rules, admitted that the ~~motion~~ motion has merit.

The Court received this motion slightly before the date of January 27, 2012. I do not know the exact date the Court received it, but I received a pro se packet from the Ninth Circuit - which necessarily came after the Court received my motion for reconsideration and simultaneous motion for appeal - on precisely January 27, according to the post mark on the Ninth Circuit's envelope.

This means that January 27 was the first Friday after this court received the motion; February 3 was the second Friday; February 10 was the third, and February 17 was the fourth. By even the most generous standard set by the local rules of this court, February 17, 2012 was the date the motion should be noted for

consideration.

The local rules state that responses in opposition to a motion must be filed by the Friday before the noting date. They also say that the Court will ~~be~~ treat a party's failure to timely respond to a motion as an admission that the motion has merit.

I have not received any response from Defendant on the motion for reconsideration, even though, even by the most generous noting date, their opportunity to do so has passed. Therefore, by the local rules, Defendant has admitted that the motion for reconsideration should be granted.

David Stebbins
~~David Stebbins~~
5800 Law Dr
Harrison, AR 72601

CERTIFICATE OF SERVICE

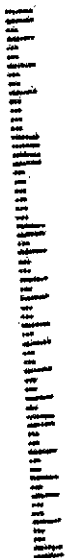
Defense counsel has been served with this supplement by allowing them to view it on ECF.

David Stebbins
~~David Stebbins~~
5800 Law Dr
Harrison, AR 72601

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Clerk, U.S. District Court
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